

SEC. 5195. REVIEW RELATING TO VETTING, PROCESSING, AND RESETTLEMENT OF EVACUEES FROM AFGHANISTAN AND THE AFGHANISTAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) **IN GENERAL.**—In accordance with the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Department of Homeland Security, jointly with the Inspector General of the Department of State, and in coordination with any appropriate inspector general, shall conduct a thorough review of efforts to support and process evacuees from Afghanistan and the Afghanistan special immigrant visa program.

(b) **ELEMENTS.**—The review required by subsection (a) shall include an assessment of the systems, staffing, policies, and programs used—

(1) to the screen and vet such evacuees, including—

(A) an assessment of whether personnel conducting such screening and vetting were appropriately authorized and provided with training, including training in the detection of fraudulent personal identification documents;

(B) an analysis of the degree to which such screening and vetting deviated from United States law, regulations, policy, and best practices relating to the screening and vetting of refugees and applicants for United States visas that have been in use at any time since January 1, 2016;

(C) an identification of any risk to the national security of the United States posed by any such deviations;

(D) an analysis of the processes used for evacuees traveling without personal identification records, including the creation or provision of any new identification records to such evacuees; and

(E) an analysis of the degree to which such screening and vetting process was capable of detecting—

(i) instances of human trafficking and domestic abuse;

(ii) evacuees who are unaccompanied minors; and

(iii) evacuees with a spouse that is a minor;

(2) to admit and process such evacuees at United States ports of entry;

(3) to temporarily house such evacuees prior to resettlement;

(4) to account for the total number of individual evacuated from Afghanistan in 2021 with support of the United States Government, disaggregated by—

(A) country of origin;

(B) age;

(C) gender;

(D) eligibility for special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111-8) or section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109-163) at the time of evacuation;

(E) eligibility for employment-based non-immigrant visas at the time of evacuation; and

(F) familial relationship to evacuees who are eligible for visas described in subparagraphs (D) and (E); and

(5) to provide eligible individuals with special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111-8) and section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109-163) since the date of the enactment of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111-8), including—

(A) a detailed step-by-step description of the application process for such special immigrant visas, including the number of days allotted by the United States Government for the completion of each step;

(B) the number of such special immigrant visa applications received, approved, and denied, disaggregated by fiscal year;

(C) the number of such special immigrant visas issued, as compared to the number available under law, disaggregated by fiscal year;

(D) an assessment of the average length of time taken to process an application for such a special immigrant visa, beginning on the date of submission of the application and ending on the date of final disposition, disaggregated by fiscal year;

(E) an accounting of the number of applications for such special immigrant visas that remained pending at the end of each fiscal year;

(F) an accounting of the number of interviews of applicants for such special immigrant visas conducted during each fiscal year;

(G) the number of noncitizens who were admitted to the United States pursuant to such a special immigrant visa during each fiscal year;

(H) an assessment of the extent to which each participating department or agency of the United States Government, including the Department of State and the Department of Homeland Security, adjusted processing practices and procedures for such special immigrant visas so as to vet applicants and expand processing capacity since the February 29, 2020, Doha Agreement between the United States and the Taliban;

(I) a list of specific steps, if any, taken between February 29, 2020, and August 31, 2021—

(i) to streamline the processing of applications for such special immigrant visas; and

(ii) to address longstanding bureaucratic hurdles while improving security protocols;

(J) a description of the degree to which the Secretary of State implemented recommendations made by the Department of State Office of Inspector General in its June 2020 reports on Review of the Afghan Special Immigrant Visa Program (AUD-MERO-20-35) and Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement (AUD-MERO-20-34);

(K) an assessment of the extent to which challenges in verifying applicants' employment with the Department of Defense contributed to delays in the processing of such special immigrant visas, and an accounting of the specific steps taken since February 29, 2020, to address issues surrounding employment verification; and

(L) recommendations to strengthen and streamline such special immigrant visa process going forward.

(c) **INTERIM REPORTING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall submit to the appropriate congressional committees not fewer than one interim report on the review conducted under this section.

(2) **DEFINITIONS.**—In this subsection:

(A) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given the term in section 12 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by this Act.

(B) **SCREEN; SCREENING.**—The terms “screen” and “screening”, with respect to an evacuee, mean the process by which a Federal official determines—

(i) the identity of the evacuee;

(ii) whether the evacuee has a valid identification documentation; and

(iii) whether any database of the United States Government contains derogatory information about the evacuee.

(C) **VET; VETTING.**—The term “vet” and “vetting”, with respect to an evacuee, means the process by which a Federal official interviews the evacuee to determine whether the evacuee is who they purport to be, including whether the evacuee poses a national security risk.

(d) **DISCHARGE OF RESPONSIBILITIES.**—The Inspector General of the Department of Homeland Security and the Inspector General of the Department of State shall discharge the responsibilities under this section in a manner consistent with the authorities and requirements of the Inspector General Act of 1978 (5 U.S.C. App.) and the authorities and requirements applicable to the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State under that Act.

(e) **COORDINATION.**—Upon request of an Inspector General for information or assistance under subsection (a), the head of any Federal agency involved shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the Federal agency from which the information is requested, furnish to such Inspector General, or to an authorized designee, such information or assistance.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit the ability of the Inspector General of the Department of Homeland Security or the Inspector General of the Department of State to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of the oversight responsibilities of the Inspector General of the Department of Homeland Security and the Inspector General of the Department of State, in accordance with the Inspector General Act of 1978 (5 U.S.C. App.), with respect to oversight of the evacuation from Afghanistan, the selection, vetting, and processing of applicants for special immigrant visas and asylum, and any resettlement in the United States of such evacuees.

SA 4463. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. OVERSIGHT OF THE PROCUREMENT OF EQUIPMENT BY STATE AND LOCAL GOVERNMENTS THROUGH THE DEPARTMENT OF DEFENSE.

Section 281 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d) **LIMITATIONS ON PURCHASES.**—(1) The Secretary shall require, as a condition of any purchase of equipment under this section, that if the Department of Justice opens an investigation into a State or unit of local government under section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), the Secretary shall pause all pending or future purchases by that State or unit of local government.

“(2) The Secretary shall prohibit the purchase of equipment by a State or unit of local government for a period of 5 years upon a finding that equipment purchased under

this section by the State or unit of local government was used as part of a violation under section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601).

“(e) PUBLICLY ACCESSIBLE WEBSITE ON PURCHASED EQUIPMENT.—(1) The Secretary, in coordination with the Administrator of General Services, shall create and maintain a publicly available internet website that provides in searchable format information on the purchase of equipment under this section and the recipients of such equipment.

“(2) The internet website required under paragraph (1) shall include all publicly accessible unclassified information pertaining to the purchase of equipment under this section, including—

“(A) the catalog of equipment available for purchase under subsection (c);

“(B) the recipient state or unit of local government;

“(C) the purpose of the purchase under subsection (a)(1);

“(D) the type of equipment;

“(E) the cost of the equipment;

“(F) the administrative costs under subsection (b); and

“(G) other information the Secretary determines is necessary.

“(3) The Secretary shall update on a quarterly basis information included on the internet website required under paragraph (1).”.

SA 4464. Mr. SCHATZ (for himself, Mr. KAINE, Mr. SANDERS, Mr. MERKLEY, Mr. WYDEN, Ms. ROSEN, Mr. PETERS, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Use of Medical Marijuana by Veterans

SEC. 1071. SAFE HARBOR FOR USE BY VETERANS OF MEDICAL MARIJUANA.

(a) SAFE HARBOR.—Notwithstanding the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or any other Federal law, it shall not be unlawful for—

(1) a veteran to use, possess, or transport medical marijuana in a State or on Indian land if the use, possession, or transport is authorized and in accordance with the law of the applicable State or Indian Tribe;

(2) a physician to discuss with a veteran the use of medical marijuana as a treatment if the physician is in a State or on Indian land where the law of the applicable State or Indian Tribe authorizes the use, possession, distribution, dispensation, administration, delivery, and transport of medical marijuana; or

(3) a physician to recommend, complete forms for, or register veterans for participation in a treatment program involving medical marijuana that is approved by the law of the applicable State or Indian Tribe.

(b) DEFINITIONS.—In this section:

(1) INDIAN LAND.—The term “Indian land” means any of the Indian lands, as that term is defined in section 824(b) of the Indian Health Care Improvement Act (25 U.S.C. 1680n).

(2) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) PHYSICIAN.—The term “physician” means a physician appointed by the Secretary of Veterans Affairs under section 7401(1) of title 38, United States Code.

(4) STATE.—The term “State” has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(5) VETERAN.—The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(c) SUNSET.—This section shall cease to have force or effect on the date that is five years after the date of the enactment of this Act.

SEC. 1072. STUDIES ON USE OF MEDICAL MARIJUANA BY VETERANS.

(a) STUDY ON EFFECTS OF MEDICAL MARIJUANA ON VETERANS IN PAIN.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study on the effects of medical marijuana on veterans in pain.

(2) REPORT.—Not later than 180 days after the date on which the study required under paragraph (1) is completed, the Secretary shall submit to Congress a report on the study, which shall include such recommendations for legislative or administrative action as the Secretary considers appropriate.

(b) STUDY ON USE BY VETERANS OF STATE MEDICAL MARIJUANA PROGRAMS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary shall conduct a study on the relationship between treatment programs involving medical marijuana that are approved by States, the access of veterans to such programs, and a reduction in opioid use and abuse among veterans.

(2) REPORT.—Not later than 180 days after the date on which the study required under paragraph (1) is completed, the Secretary shall submit to Congress a report on the study, which shall include such recommendations for legislative or administrative action as the Secretary considers appropriate.

(c) VETERAN DEFINED.—In this section, the term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(d) USE OF AMOUNTS.—For fiscal years 2022 and 2023, of the amounts appropriated to the Department of Veterans Affairs—

(1) \$10,000,000 shall be used to carry out subsection (a); and

(2) \$5,000,000 shall be used to carry out subsection (b).

SA 4465. Mr. SCHATZ (for himself, Ms. DUCKWORTH, Mr. HICKENLOOPER, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . JAPANESE AMERICAN CONFINEMENT EDUCATION.

(a) DEFINITIONS.—In this section:

(1) JAPANESE AMERICAN MUSEUM.—The term “Japanese American museum” means a mu-

seum located in the United States established to promote the understanding and appreciation of the ethnic and cultural diversity of the United States by illustrating the Japanese American experience throughout the history of the United States.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) COMPETITIVE GRANTS FOR JAPANESE AMERICAN CONFINEMENT EDUCATION.—

(1) IN GENERAL.—The Secretary shall establish a program to award competitive grants to a Japanese American museum to educate individuals in the United States on the historical importance of Japanese American confinement during World War II so that present and future generations may learn from Japanese American confinement and the commitment of the United States to equal justice under the law.

(2) USE OF FUNDS.—A grant awarded under paragraph (1)—

(A) shall be used—

(i) for the research and education relating to the Japanese American confinement in World War II; and

(ii) for the disbursement of accurate, relevant, and accessible resources to promote understanding about how and why the Japanese American confinement in World War II happened, which—

(I) shall include digital resources; and

(II) may include other types of resources, including print resources and exhibitions; and

(B) shall not be used at a Japanese American museum that does not provide—

(i) free admission to individuals who were placed within a Japanese American confinement camp; and

(ii) dedicated free admission hours for the general public not less than once per month.

(3) APPLICATION.—To be eligible to receive a grant under this subsection, a Japanese American museum shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(4) DEADLINE FOR AWARD.—Not later than 120 days after the date on which the Secretary receives an application from a Japanese American museum for a grant that is approved by the Secretary under this subsection, the Secretary shall award a grant to the Japanese American museum.

(5) PRIORITY CONSIDERATIONS.—In awarding a grant under this subsection, the Secretary shall give priority using the following considerations:

(A) The needs of the Japanese American museum.

(B) The proximity of the project for which the grant funds will be used to cities with populations that include not less than 100,000 Japanese Americans, as certified by the most recent census.

(C) The ability and commitment of the Japanese American museum to use grant funds—

(i) to educate future generations of individuals in the United States; and

(ii) to locate Japanese American confinement survivors.

(D) The existing relationship the Japanese American museum has with Japanese American cultural and advocacy organizations.

(6) REPORT.—Not later than 90 days after the end of each fiscal year for which a Japanese American museum obligates or expends amounts made available under a grant under this subsection, the Japanese American museum shall submit to the Secretary and the appropriate committees of Congress a report that—

(A) specifies the amount of grant funds obligated or expended for the preceding fiscal year;